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The loan, if it is not subsequently treated as sibsidy, will be repayable in five equal annual instalments. It will, however, be free of interest for the first year and repayment will start only after three years.

Wells for which subsidies have been sanctioned under the earlier schemes ,but have not actually been paid, will be treated as coming under the new scheme.

Well-works for which subsidies have been granted under the Accelerated Scheme and the Ceded Districts Scheme will also be allowed the time prescribed in the new scheme, i.e., up to 30th June 1948, for completion, provided that some part of the work, not necessarily a substantial part, has already been done.

## APPENDIX IV.

[Vide item VII at page 483 supra.]

### L.A. BILL No. 7 OF 1947.

**(As passed by the Assembly.)**

*A Bill further to amend the Madras District Municipalities Act, 1920, the Madras Local Boards Act, 1920, the Madras City Municipal, District Municipalities and Local Boards (Second Amendment) Act, 1942, and the Madras District Municipalities and Local Boards (Second Amendment) Act, 1946.*

Madras Act V of 1920. Madras Act XIV of 1920. Madras Act XXIV of 1942. Madras Act XVI of 1946.

WHEREAS it is expedient further to amend the Madras District Municipalities Act, 1920, the Madras Local Boards Act, 1920, the Madras City Municipal, District Municipalities and Local Boards (Second Amendment) Act, 1942, and the Madras District Municipalities and Local Boards (Second Amendment) Act, 1946, for the purposes hereinafter appearing; It is hereby enacted as follows :—

Short title.

1. This Act may be called the Madras District Municipalities and Local Boards (Amendment) Act, 1947.

Amendment of Madras Act V of 1920.

Madras Act V of 1920.

2. In the Madras District Municipalities Act, 1920—

(i) in section 7, sub-section (1), for the words "The municipal council", the words, brackets, figure and letter "Subject to the provisions of sub-section (3-B), the municipal council" shall be substituted ;

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(ii) in the same section, in sub-section (3), the first proviso and the word "further" in the second proviso, shall be omitted;

(iii) in the same section, after sub-section (3), the following sub-sections shall be inserted, namely :—

"(3-A) The total number of seats reserved under sub-section (3) shall not exceed one-fourth of the strength of the municipal council as notified under sub-section (1).

(3-B) Notwithstanding anything contained in sub-section (3-A), the Provincial Government may, if they think fit, by notification, fix the total number of seats reserved in any municipal council, in excess of the number admissible under sub-section (3-A):

Provided that—

(i) the strength of the municipal council as notified under sub-section (1) is also increased by the same number as that by which the total number of reserved seats is increased and is specified in the notification aforesaid; and

(ii) the total number of reserved seats is so fixed as not to exceed one-third of the strength of the municipal council as increased under clause (i).";

(iv) in the same section, in sub-section (5), for the word, brackets and figure "sub-section (3)", the words "this section" shall be substituted;

(v) in section 8, in sub-section (2), after the proviso, the following proviso shall be added, namely :—

"Provided further that the Provincial Government may, for sufficient reasons, direct from time to time, the postponement or alteration of the date of an ordinary election or any stage thereof, and the election authority shall give effect to such direction.";

(vi) in section 44, sub-section (1)—

(*a*) in the first paragraph, after the words "whose name is included" the words "or who is qualified to be included" shall be inserted;

(*b*) in Explanation (1), after the words "who are entered", the words "or who are qualified to be included" shall be inserted and the words "as entered in such roll" shall be omitted.

(vii) in the same section, for sub-section (2), the following sub-section shall be substituted, namely :—

"(2) The executive authority or any person authorized by the election authority in this behalf shall prepare and publish in such manner and at such times as the Provincial Government may direct, the electoral roll for the municipality or the alterations to such roll."

Amendment of Madras Act XIV of 1920.

3. In the Madras Local Boards Act, 1920—

(i) in section 7, for the words "The total number", the words, brackets, figures and letter "Subject to the provisions of sub-section (3-A) of section 9, the total number" shall be substituted;

(ii) in section 9, after sub-section (3), the following sub-section shall be inserted, namely :—

"(3-A) Notwithstanding anything contained in sub-section (3), the Provincial Government may, if they think fit, by notification, fix the total number of seats reserved in any local board in excess of the number admissible under sub-section (3):

Provided that—

(i) the strength of the local board as fixed under section 10 is also increased by the same number as that by which the total number of reserved seats is increased and is specified in the notification aforesaid; and

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(ii) the total number of reserved seats is so fixed as not to exceed one-third of the strength of the local board as increased under clause (i)." ;

(iii) in the same section, in sub-section (6), for the words, brackets and figures "sub-sections (1) and (2)", the words "this section" shall be substituted;

(iv) in section 11, sub-section (2), after the proviso, the following proviso shall be added, namely :—

"Provided further that the Provincial Government may, for sufficient reasons, direct from time to time, the postponement or alteration of the date of an ordinary election or any stage thereof, and the prescribed authority shall give effect to such direction." ;

(v) in section 51, in sub-section (1)—

(*a*) in the first paragraph, after the words "whose name is included" the words "or who is qualified to be included" shall be inserted ;

(*b*) in Explanation (1), after the words "who are entered", the words "or who are qualified to be included" shall be inserted and the words "as entered in such roll" shall be omitted ;

(vi) in the same section, for sub-section (2), the following sub-section shall be substituted, namely :—

"(2) The District Panchayat Officer or any person authorized by the prescribed authority in this behalf shall prepare and publish in such manner and at such times as the Provincial Government may direct, the electoral roll for the local board or the alterations to such roll."

Amendment of Madras Act XVI of 1946.

Madras Act XVI of 1946.

4. In clause (ii) of sub-section (1) of section 3 of the Madras District Municipalities and Local Boards (Second Amendment) Act, 1946, before the words "to advance" the words "from time to time" shall be inserted.

Elections to municipal councils and appointment of Special Officers.

Madras Act XXIV of 1942. Madras Act V of 1920.

5. (1) Where elections have to be held for the first time after the commencement of this Act to fill vacancies in the office of the councillors of any municipal council whose term of office has been fixed under section 3 or section 4 (1) (*c*) or section 5 of the Madras City Municipal, District Municipalities and Local Boards (Second Amendment) Act, 1942, then, notwithstanding anything contained in section 6 of that Act and in the Madras District Municipalities Act, 1920, it shall be lawful for the Provincial Government—

(i) to cause elections to be held to the municipal council so that its newly elected councillors may come into office on any date fixed by the Provincial Government which may be different from the date of expiry of the term of office of the councillors previously holding office ;

(ii) from time to time, to advance or postpone the date fixed under clause (i) and fix instead another date ;

(iii) to appoint for that municipal council, a Special Officer during the interval between the date of expiry of the term of the councillors previously holding office and the date on which the newly elected councillors will come into office.

Madras Act V of 1920. Madras Act II of 1922.

(2) Where any date other than the first day of November of any year is fixed under sub-section (1) as the date on which the newly elected councillors of a municipal council will come into office, the term of office of such councillors shall, subject to the provisions of the Madras District Municipalities Act, 1920, and the Madras District Municipalities and Local Boards (Amendment) Act, 1921, expire at noon on the first day of November immediately succeeding the expiry of three years from the date so fixed.

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(3) A Special Officer appointed under sub-section (1) shall exercise and perform the functions specified in section 41 (3) (*b*) of the Madras District Municipalities Act, 1920, in the same manner, as if he had been appointed under that section. Madras Act V of 1920.

(4) A Special Officer appointed under sub-section (1) who is not a District Collector or a Revenue Divisional Officer may, if the Provincial Government so direct, receive payment for his services from the municipal fund.

Elections to district boards under supersession at the commencement of Act.

6. Where elections have to be held for the first time to a district board which has been superseded under section 45-A of the Madras Local Boards Act, 1920, and has not been reconstituted at the commencement of this Act, the Provincial Government may, notwithstanding anything contained in sub-section (4) of that section, postpone from time to time the reconstitution of the district board for such period as they think fit. Madras Act XIV of 1920.

Validation of orders postponing or stopping elections.

7. All orders issued by the Provincial Government before the commencement of this Act, directing the stoppage or postponement of elections to a municipal council or local board or any stage thereof, shall be deemed to have been as valid as if the said orders had been issued under the Madras District Municipalities Act, 1920, and the Madras Local Boards Act, 1920, as amended by this Act. Madras Act V of 1920. Madras Act XIV of 1920.

Power to remove difficulties.

8. If any difficulty arises in giving effect to the provisions of this Act, or of the Madras District Municipalities Act, 1920, the Madras Local Boards Act, 1920, or the Madras City Municipal, District Municipalities and Local Boards (Second Amendment) Act, 1942, as amended by this Act, the Provincial Government may, as occasion may require, by order, do anything which appears to them necessary for the purpose of removing the difficulty. Madras Act V of 1920. Madras Act XIV of 1920. Madras Act XXIV of 1942.

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